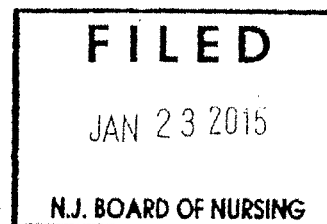


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF	:	
	:	
HOPE A. DAVIS, LPN	:	ADMINISTRATIVE ACTION
License No. 26NP03152900	:	
	:	FINAL ORDER OF
	:	DISCIPLINE
TO PRACTICE NURSING IN THE STATE	:	
OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and upon which the following preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Hope A. Davis ("Respondent") is a Licensed Practical Nurse in the State of New Jersey and has been a licensee at all times relevant hereto.

2. Upon receipt of a Medical Malpractice Payment Report indicating that \$900,000 was paid out on behalf of Respondent for a September 14, 2007 incident, the Board sent a letter of

inquiry requesting certain information and submission of documents regarding the malpractice case, Respondent's current nursing practice, and continuing education to Respondent's address of record in Atlantic City, New Jersey, via regular and certified mail on or about November 14, 2013. The regular mailing was not returned; the certified mailing was returned as "unclaimed."

5. Respondent partially responded to the Board's request for information. Respondent provided proof of having completed the required continuing education, as well as a Stipulation of Dismissal for the case. Respondent has failed to provide several answers or documents requested by the Board, including details of the settlement, responses to each allegation of the lawsuit, information about the facility at which the incident occurred, and depositions, if any, of Respondent and experts for the plaintiff and defendants.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's request for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct pursuant to N.J.S.A. 45:1-21(e) and also subjects Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline ("POD") seeking the suspension of Respondent's license to practice as a nurse in the State of New Jersey and imposing a \$500.00 civil penalty for failing to fully respond to a Board investigation was filed on July 15, 2014. The POD was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

Ms. Davis responded to the POD and provided a full and complete response including confidential medical records and voluminous legal documents. The Board was persuaded that the submitted materials merited modification of the penalty and concluded that Ms. Davis' license should not be suspended but the \$500.00 civil penalty should be imposed for her initial failure to cooperate with a Board investigation.

ACCORDINGLY, IT IS on this 23 day of January, 2015,
ORDERED that:

1. A civil penalty in the amount of five hundred dollars (\$500) is imposed upon Respondent. Payment shall be made by money order, bank cashier check or certified check, made payable to the State of New Jersey or by wire transfer, direct deposit or credit card payment delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making payment. Payment shall be due no later than fifteen (15) days after the filing of this Final Order of Discipline. In the event respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy
Patricia Murphy, PhD, APN
President